

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

THE KROGER CO.,	:	Case No.: C-1-02-439
	:	
Plaintiff,	:	Beckwith, J.
	:	Sherman, M.J.
	:	
v.	:	<u>PLAINTIFF'S DESIGNATIONS OF</u>
	:	<u>EXPERTS</u>
	:	
MALEASE FOODS CORP.,	:	
	:	
Defendant.	:	

Plaintiff The Kroger Co. identifies the following experts who may be called to testify at the trial of this matter:

1. James D. Price
Price & Marshall, Inc.
450 Seventh Avenue
Suite 1505
New York, New York 10123

2. Scott Butler
Price & Marshall, Inc.
78 Alderbrook Drive
Building D
Topsfield, MA 01983

3. Jonathan Libbert
Johnson Cambra & Libbert, Inc.
4721 Cornell Road
Cincinnati, Ohio 45241

4. Each and every one of the names designated by the Defendant.

5. The Kroger Co. reserves the right to supplement this disclosure in a timely fashion based upon continuing discovery.

The Kroger Co. reserves the right to dispute the expert status of any or all of the individuals designated by the Plaintiff.

Respectfully submitted,

/s/ Douglas R. Dennis

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Trial Attorney for Plaintiff
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OF COUNSEL:

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CERTIFICATE OF SERVICE

I hereby certify that on September 30, 2003, a copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system and copies will be mailed via U.S. mail to those parties who are not served via the Court's electronic filing system. Parties may access this filing through the Court's system.

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/s/ Douglas R. Dennis

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